

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

MARIA BRAZILIAN, )  
Plaintiff )  
vs. )  
MENU FOODS INCOME FUND, et al. )  
Defendants )

Case No: 2:07-cv-54

**MENU FOODS' REPORT AND  
NOTICE OF CONDITIONAL TRANSFER  
ORDER (CTO-1) OF THE JPML**

NOW COME the defendants, Menu Foods Income Fund, Menu Foods, Limited, Menu Foods, Inc. and Menu Foods Midwest Corporation (collectively referred to as "Menu Foods") to provide a monthly report as required by this Court's Order of May 23, 2007, and to provide notice of the Judicial Panel on Multidistrict Litigation's conditional transfer of this case, as follows:

On June 19, 2007, the Judicial Panel on Multidistrict Litigation (the "JPML") issued a Transfer Order creating a new multidistrict proceeding entitled *In re Pet Food Products Liability Litigation* (the "MDL"), and assigning the MDL to Judge Noel L. Hillman of the District of New Jersey. That order was previously provided to this Court via Menu Foods' notice of June 28, 2007.

The case pending before this Court has recently been identified as one of sixty-six actions which appear to involve questions of fact which are common to the twelve actions previously transferred to the MDL, as reflected on the attached Conditional Transfer Order of the JPML and Schedule (CTO -20) of Tag-Along Actions (*Exhibit A*). That Conditional Transfer Order was filed with the JPML Clerk's Office on June 28, 2007, but the JPML ordered that it shall not become effective until it is filed with the Office of the Clerk for the United States District Court for the District of New Jersey. Transmittal of the Order to the Clerk was stayed 15 days from its

entry, and further provided that, should any party file a notice of opposition with the Clerk of the JPML within that 15 day period, the stay would be continued until further order of the JPML.

Menu Foods has not been informed by the Plaintiff's counsel whether she intends to oppose transfer of this case to the MDL. None of the defendants oppose transfer.

Dated at Portland, Maine, this 2nd day of July, 2007.

/s/ Paul C. Catsos, Esq.

Paul C. Catsos, Esq.

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Attorney for Defendants, Menu Foods

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CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the above titled "Notice of Multidistrict Consolidation Pursuant to 28 U.S.C. §1407 and Request to Maintain Stay" with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to the following registered participants:

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Dated at Portland, Maine this 2nd day of July, 2007.

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